

ETTERIDGE CAROLYN R
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ACTION EA-12

INFO OCT-01 AIS-00 EA-06 SPRS-02 CIAE-00 DCIE-00
NSAE-00 NSCE-00 SSO-00 ICAE-00 INRE-00 PM-07 H-01
INR-10 L-03 PA-01 SP-02 SS-15 AID-07 ANAE-00
IO-14 /081 W

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FM AMEMBASSY SEOUL

TO SECSTATE WASHDC IMMEDIATE 0071

INFO AMEMBASSY TOKYO

SA CINCUNC KS

CHJUSMAG SECUL KS

COMUSKOREA SEOUL KS//PJ-IS

CINCPAC HONOLULU HI

C O N F I D E N T I A L SEOUL 14532

E.O. 12065: GPS 11/03/86 (BLAKEMORE, DAVID) OR-P

TAGS: SHUM, PINS, KS

SUBJECT: KIM DAE JUNG APPELLATE TRIAL (REPORT NO. 7) --

DEATH SENTENCE UPHOLD

REF: (A) SEOUL 14453, (B) SEOUL 14369 AND PREVIOUS

1. (LOU) THE APPELLATE COURT MARTIAL OF KIM DAE JUNG

(M-R: KIM DAE-JUNG) ANNOUNCED ITS VERDICTS NOVEMBER 3.

THE DEATH SENTENCE FOR KIM DAE JUNG WAS UPHOLD; THE COURT

STATED THAT AN EXAMINATION OF THE EVIDENCE PROVED KIM

DAE JUNG'S CONNECTION TO THE HANMINTONG AND HIS INVOLVE-

MENT IN THE PLANNING OF THE INSURRECTION IN KWANGJU.

THEREFORE, THE LOWER COURT HAD REACHED THE CORRECT

VERDICT. THE COURT REJECTED THE DEFENDANTS' REASONS

FOR APPEAL.

2. (LOU) THE COURT STATED FURTHER THAT IT HAD FOUND IT

"NECESSARY TO REDUCE THE SENTENCES OF SOME OF THE DEFEN-

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LANTS. OF THOSE CHARGED WITH INSURRECTION, MUN IK-HWAN

(M-R) HAD HIS TERM OF IMPRISONMENT REDUCED FROM 20 YEARS

TO 15 YEARS. SIX OF THE DEFENDANTS CHARGED WITH

VIOLATION OF MARTIAL LAW ALSO HAD THEIR SENTENCES

REDUCED: HAN SUNG-HO (M-R) FROM 4 YEARS TO 3 YEARS;

KIM YUN-SIK (M-R) FROM 2.5 YEARS' IMPRISONMENT TO A 2-YEAR

SUSPENDED SENTENCE WITH 3 YEARS' PROBATION; YU IN-UC (M-R)

FROM 3.5 YEARS TO 2 YEARS; SONG KON-HO (M-R) FROM 3.5

YEARS TO 2 YEARS; YI TAE-TON (M-R) FROM 2 YEARS TO A

2-YEAR SUSPENDED SEE WITH 3 YEARS' PROBATION; AND

KIM NOK-YONG (M-R) FROM 4 YEARS TO A 3-YEAR SUSPENDED

SENTENCE AND 5 YEARS' PROBATION. NEWS SERVICES REPORT

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THAT THE THREE DEFENDANTS WITH SUSPENDED SENTENCES, KIM

YUN-SIK, YI TAE-TON AND KIM NOK-YONG, WILL BE RELEASED

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DEPARTMENT OF STATE A/CDC/MR

REVISED BY AT DATE 8/8/82

RDS ☐ or XDS ☐ EXT. DATE

TS AUTH.

ENDORSE EXISTING MARKINGS ☐

DECLASSIFIED ☒ RELEASABLE ☒

RELEASE DENIED ☐

PA or FOI EXEMPTIONS

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TODAY, NOVEMBER 3.

3. (LOU) THE DEFENDANTS AND THEIR FAMILIES WERE SILENT WHILE THE VERDICT WAS BEING READ, BUT BEGAN IMMEDIATELY TO SING THE NATIONAL ANTHEM AFTER THE SENTENCES WERE ANNOUNCED. THE NUMBER OF PRISON GUARDS AND MILITARY POLICE PRESENT IN THE COURT APPEARED TO BE DOUBLE THAT OF PREVIOUS SESSIONS. WHEN THE SINGING BEGAN, A CORDON OF PLAINCLOTHES POLICEMEN STANDING AROUND THE FAMILY MEMBERS GRABBED SEVERAL OF THE LATTER AND DRAGGED THEM SCREAMING FROM THE COURTROOM. IN ADDITION TO EMBOFF, REPRESENTATIVES OF THE AUSTRALIAN, SWEDISH AND JAPANESE EMBASSIES WERE PRESENT FOR THE FINAL SESSION AS WERE SEVERAL NEWSMEN.

4. (LOU) THE NEXT STEP IS REVIEW OF THE SENTENCES BY THE MARTIAL LAW COMMANDER, WHICH IN THE CASE OF THE FIRST TRIAL TOOK ONLY 2 DAYS. THEN KIM CASE GOES AUTOMATICALLY TO THE

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SUPREME COURT, WHICH MUST ACT WITHIN 4 MONTHS.

5. (C) AS REPORTED IN REFTEL 14369, PARAGRAPH 10, DEFENDANTS HAVE THREATENED TO BEGIN A HUNGER STRIKE. ACCORDING TO AMERICAN MISSIONARY SOURCES WHO HAVE CONTACT WITH FAMILY MEMBERS, MORE THAN 100 PRISONERS SENTENCED FOR MARTIAL LAW VIOLATIONS HAVE JOINED THE DEFENDANTS IN AN INDEFINITE HUNGER STRIKE. THE STRIKE BEGAN AT NOON OCTOBER 30 AND INVOLVES PRISONERS BOTH IN SEOUL PRISON AND AT THE ARMY STOCKADE. MISSIONARY SOURCES ARE ESPECIALLY CONCERNED ABOUT KIM DAE JUNG AND MUN IK-EWAN, BOTH OF WHOM ARE REPORTEDLY IN POOR HEALTH. AND ABOUT MRS. KIM DAE JUNG, WHO THEY SAY HAS BEEN ON A HUNGER STRIKE AT HOME. GLEYSTEN

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